Kris Flint
LDWSF 19.6.9.2.1 Ecology Permits, Inspections, Etc.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

NOV - 3 2010

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply To: OCE-133

CERTIFIED MAIL – 7009 1410 0002 1489 0336
RETURN RECEIPT REQUESTED

WARNING LETTER

Alan P. Sidell
Seattle Iron and Metals Corporation
601 South Myrtle Street
Seattle, WA 98108

Re: April 29 and May 11, 2010, NPDES Compliance Inspections
NPDES Permit Number WA0031968

Dear Mr. Sidell:

On April 29 and May 11, 2010, the U.S. Environmental Protection Agency (EPA) inspected your scrap metal operation at 601 South Myrtle in Seattle, Washington, to determine its compliance with the requirements of the Clean Water Act (CWA) and the National Pollutant Discharge Elimination System (NPDES) permit that applies to this site, Washington State Industrial Storm Water General Permit Number WA0031968 (the Permit). I would like to express my appreciation for the time and cooperation of the Seattle Iron and Metals staff during the inspection. I would also like to express my condolences for the untimely loss of Mr. Eric Paul.

There are areas of concern regarding Seattle Iron and Metals Corporation's compliance with the Permit:

1. Section S2.B of the Permit states "Sampling and analytical methods used to meet the monitoring requirements specified in this permit must conform to the latest revision of the Guidelines Establishing Test Procedures for the Analysis of Pollutants contained in 40 C.F.R. Part 136."

   To be considered accurate and representative for the NPDES program, pH monitoring must be conducted according to test procedures approved under the Code of Federal Regulations (40 C.F.R. Part 136.3 *Table II-Required containers, preservation techniques, and holding times*). This part of the Code of Federal Regulations specifies that pH must be analyzed immediately, interpreted to mean within 15 minutes of sample collection. This typically means measuring pH on-site.

During the April 29th inspection, Eric Paul told the inspectors were told that samples of the discharge are sent to a local laboratory for analysis. This practice appears to violate the above holding time requirements for pH monitoring.

2. A review of the discharge monitoring reports submitted by Seattle Iron and Metals Corporation to the Washington State Department of Ecology (Ecology) between December 2007 and February 2010 found 66 exceedances of the effluent limits listed in Section S1.B of the Permit. These exceedances are listed in the attachment.

During the May 11 inspection, the EPA inspectors took four sediment samples. The samples were of material accumulated in two roof drains, the catch basin in the employee parking lot, and a catch basin on the south side of South Myrtle Street adjacent to the facility entrance. Split samples were taken by Seattle Public Utilities for their analysis.

	Sampling Stations				Screening Criteria	
Pollutant mg/kg	**10194000**	**10194001**	**10194002**	**10194003**	**SQS / LAET**	**CSL/ 2LAET**
Copper	1,140	1,050	1,950	861	390	390
Lead	1,340	1,710	1,150	912	450	530
Zinc	4,900	7,520	4,780	4,380	410	960
Total PCBs (dry weight)	2.2	2.3	4.2	9.5	0.13	1.0
Total PCBs (organic carbon normalized)	22	31	51	64	12	65
Total petroleum hydrocarbon – motor oil range	740	380	2,500	1,600	Not applicable	
Total petroleum hydrocarbon – diesel oil range	Not detected	Not detected	Not detected	5,300	Not applicable	
Total organic carbon	100,000	75,300	81,600	149,000	Not applicable	

10194000 was collected from the main office roof drain (RD #1), 10194001 was collected from the maintenance roof gutter (RD #2), 10194002 was collected from the employee parking lot catch basin (CB 157), and 10194003 was collected from the catch basin on South Myrtle Street northwest of the main office (RCB189). Because these samples are solids with the potential to reach the Lower Duwamish Superfund site, they are here compared to the Washington State Sediment Management Standards (WAC 173-204).

I understand that Seattle Iron and Metals has agreed to the City of Seattle Public Utilities' Order for Corrective Action regarding the untreated discharges to the City owned South Myrtle Street and South Garden Street storm drains. I also understand that you are working with Ecology under an administrative order to address the exceedances of your permit effluent limits and to re-direct the heretofore untreated discharges to a treatment system. Due to these circumstances, this is a Warning Letter rather than a Notice of Violation. EPA is awaiting the outcome of these two efforts to determine whether any formal action by EPA is needed. If

subsequent inspections find that these violations have not been eliminated, formal enforcement actions, including penalties, may be assessed.

Please also be informed that although it is EPA's goal to ensure NPDES facilities comply fully with the Clean Water Act, the ultimate responsibility rests with the facility. As such, we strongly encourage your facility to maintain full knowledge of the applicable NPDES requirements and other appropriate statutes, and to take all appropriate measures to ensure compliance.

Please do not hesitate to contact us with any questions regarding this letter or other matters related to your compliance with the Clean Water Act. If you have any questions, please call Margaret McCauley at (206) 553-62323.

Sincerely,

Kimberly A. Ogle

Kimberly A. Ogle, Manager
NPDES Compliance Unit

Enclosure

cc: Kevin Fitzpatrick, Ecology
Ellen Stewart, Seattle Public Utilities

Seattle Iron & Metals		NPDES Permit Number WA0031968			
Effluent Violations					
Date	**Parameter**	**Value**	**Max**	**Unit**	**% above Max**
December 2007	Copper	102	5.8	UG/L	1759
December 2007	Zinc	1440	95.1	UG/L	1514
December 2007	TPH	17.1	5	Mg/L	342
December 2007	Turbidity	48	5	NTU	960
January 2008	Copper	55	5.8	UG/L	948
January 2008	Zinc	967	95.1	UG/L	1017
January 2008	TPH	33	5	Mg/L	660
January 2008	Turbidity	72	5	NTU	1440
February 2008	Copper	25	5.8	UG/L	431
February 2008	Zinc	725	95.1	UG/L	762
February 2008	TPH	33	5	UG/L	660
February 2008	Turbidity	54	5	NTU	1080
March 2008	Copper	34	5.8	UG/L	586
March 2008	Zinc	544	95.1	UG/L	572
March 2008	TPH	45	5	Mg/L	900
March 2008	Turbidity	63	5	NTU	1260
April 2008	TPH	13.2	5	Mg/L	264
April 2008	Turbidity	6.9	5	NTU	138
June 2008	Copper	15	5.8	UG/L	259
June 2008	Zinc	225	95.1	UG/L	237
June 2008	TPH	11.5	5	MG/L	230
June 2008	Turbidity	18	5	NTU	360
August 2008	Copper	10	5.8	UG/L	172
August 2008	Zinc	123	95.1	UG/L	129
August 2008	TPH	12.4	5	Mg/L	248
August 2008	Turbidity	44	5	NTU	880
October 2008	Copper	23	5.8	UG/L	397
October 2008	Zinc	510	95.1	UG/L	536
October 2008	Turbidity	140	5	NTU	2800
December 2008	Copper	13	5.8	UG/L	224
December 2008	Zinc	210	95.1	UG/L	221
December 2008	Turbidity	94	5	NTU	1880
February 2009	Copper	7.7	5.8	UG/L	133
February 2009	Turbidity	27	5	NTU	540
March 2009	Zinc	136	95	UG/L	143
March 2009	PCB	did not test	5	UG/L	
March 2009	Turbidity	66	5	NTU	1320
May 2009	Copper	32	5.8	UG/L	552
May 2009	Zinc	400	95.1	UG/L	421
May 2009	Turbidity	15	5	NTU	300

Date	Parameter	Value	Max	Unit	% above Max
August 2009	Copper	19	5.8	UG/L	328
August 2009	Zinc	180	95.1	UG/L	189
August 2009	Turbidity	27	5	Mg/L	540
September 2009	Copper	12	5.8	UG/L	207
September 2009	Zinc	140	95.1	UG/L	147
September 2009	Turbidity	32	5	NTU	640
October 2009	Copper	67	5.8	UG/L	1155
October 2009	Zinc	1100	95.1	UG/L	1157
October 2009	Turbidity	52	5	NTU	1040
November 2009	Copper	35	5.8	UG/L	603
November 2009	Zinc	370	95.1	UG/L	389
November 2009	TPH	28	5	Mg/L	560
November 2009	Turbidity	13	5	NTU	260
December 2009	Copper	28	5.8	UG/L	483
December 2009	Zinc	160	95.1	UG/L	168
December 2009	TPH	13	5	Mg/L	260
December 2009	Turbidity	10.7	5	NTU	214
December 2009	pH	12	9	S.U.	133
January 2010	Copper	20	5.8	UG/L	345
January 2010	Zinc	330	95.1	UG/L	347
January 2010	TPH	6.2	5	Mg/L	124
January 2010	Turbidity	19.2	5	Mg/L	384
February 2010	Copper	21	5.8	UG/L	362
February 2010	Zinc	190	95.1	UG/L	200
February 2010	TPH	5.2	5	Mg/L	104
February 2010	Turbidity	34	5	NTU	680
Total Effluent Violations Since Effective Date of the Permit (12/01/2007)= **66**					